

1 Edward A. Broderick, *Pro Hac Vice*  
2 ted@broderick-law.com  
3 BRODERICK LAW, P.C.  
4 176 Federal Street, Fifth Floor  
5 Boston, Massachusetts 02110  
6 Telephone: (617) 738-7080  
7 Facsimile: (617) 830-0327

8 [Additional counsel appear on signature page]

9 *Attorneys for Louis Floyd and Terry Fabricant and the*  
10 *Proposed Class*

11 JOHN W. PETERSON (SBN 179343)  
12 john.peterson@polsinelli.com  
13 POLSINELLI LLP  
14 401 Commerce Street, Suite 900  
15 Nashville, TN 37219  
16 Telephone: (615) 259-1510  
17 Facsimile: (615) 259-1573

18 *Attorney for Defendant*  
19 *FIRST DATA MERCHANT SERVICES LLC*

20 David S. Eisen (State Bar No. 100623)  
21 David.Eisen@wilsonelser.com  
22 Adam Le Berthon (State Bar No. 145226)  
23 Adam.LeBerthon@wilsonelser.com  
24 Amy Choe (State Bar No. 299870)  
25 Amy.Cho@wilsonelser.com  
26 **WILSON, ELSER, MOSKOWITZ,**  
27 **EDELMAN & DICKER LLP**  
28 555 South Flower Street, Suite 2900  
Los Angeles, California 90071-2407  
Telephone:(213) 443-5100  
Facsimile: (213) 443-5101

*Attorneys for Defendants*  
*National Payment Systems and*  
*National Payment Systems OR, LLC*  
*d/b/a/ ONE CONNECT PROCESSING*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

LOUIS FLOYD and TERRY  
FABRICANT, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

FIRST DATA MERCHANT SERVICES  
LLC,  
SAM'S CLUB MERCHANT SERVICES,  
NATIONAL PAYMENT SYSTEMS  
LLC, and  
NATIONAL PAYMENT SYSTEMS OR,  
LLC d/b/a/ ONE CONNECT  
PROCESSING,

Defendants.

Case No. 5:20-cv-02162-EJD

**[PROPOSED] ORDER GRANTING  
PARTIES' STIPULATED REQUEST TO  
EXTEND CASE DEADLINES**

Complaint Filed: March 30, 2020

The Court adopts the following schedule as approved by the parties in Dkt. 52:

Event	Date
Joint Trial Setting Conference Statement <i>(see Section III(C)(2) of Standing Order for Civil Cases)</i>	July 26, 2021
Trial Setting Conference <i>(see Section III(C)(1) of Standing Order for Civil Cases)</i>	11:00 a.m. on August 5, 2021
Fact Discovery Cutoff	September 1, 2021
Designation of Opening Experts with Reports	May 28, 2021
Designation of Rebuttal Experts with Reports	June 25, 2021
Expert Discovery Cutoff	August 20, 2021

**[PROPOSED] ORDER GRANTING PARTIES' STIPULATED REQUEST TO EXTEND CASE DEADLINES,**  
*FLOYD V. FIRST DATA MERCHANT SERVS., LLC*, CASE NO. 5:20-CV-02162-EJD

1		
2	Deadline(s) for Filing Discovery Motions	See Civil Local Rule 37-3
3		
4	Deadline for Filing Dispositive Motions <sup>1</sup>	September 15, 2021
5	<i>(see Section IV and V of</i>	
6	<i>Standing Order for Civil</i>	
7	<i>Cases)</i>	
8	Hearing on Anticipated Dispositive Motion(s)	9:00 a.m. on October 21, 2021
9		
10	The parties shall comply with the Standing Order for Civil Cases, a copy of which is available from the Clerk of the Court, with regard to the timing and content of the Joint Trial Setting Conference Statement and all other pretrial submissions.	
11		
12		
13		

14

15 **IT IS SO ORDERED.**

16

17

18 Dated: \_\_\_\_\_, 2021

18 By: \_\_\_\_\_

19 EDWARD J. DAVILA

20 United States District Judge

21

22

23

24

25

26

27

28